

TOWN OF MERRILLVILLE
TOWN COUNCIL MEETING
February 24, 2015

CALL TO ORDER: 6:30 p.m.

INVOCATION: Reverend Randy Scott – Pentecostals of South Lake

PLEDGE OF ALLEGIANCE

ROLL CALL:

Mr. Spann was absent. All other members were present.

PETITIONS, COMMUNICATIONS, REMONSTRATIONS:

Pop Warner presentation for the 6th grade “Player of the Year” Jo Jo Johnson was cancelled due to a conflict of scheduling. Mr. Goralczyk announced that that Spring Newsletter will be sent out soon. Please submit any information to be included in the newsletter to Mrs. Gaza by March 9, 2015.

CONSENT AGENDA:

Approval of the Accounts Payable Register Voucher dated February 24, 2015.

Approval of Town Council Meeting Minutes of February 10, 2015. Mr. Widing made a motion to approve and was seconded by Mr. Pettit. The motion was approved by a unanimous voice vote.

STANDING COMMITTEES:

BUDGET & FINANCE:

Mr. Pettit announced that we have knowledge from Ross Township Assessor, Angie Guernsey, that there is a pending piece of legislation, Senate Bill 436, which can possibly prevent us from a dramatic impact on large box and a large number of commercial entities filing appeals down state which would dramatically impact our TIF districts. We have 4 different TIF districts: Merrillville Road TIF, Mississippi Street TIF, 2 allocation areas – Broadway allocation area & Ameriplex allocation area. Mrs. Plikuhn provided information as to what we have received in draws last year through the four TIF areas as well as what are outstanding balances. Mr. Pettit requested that Mr. Bushemi draft a joint letter between Mr. Goralczyk, Town Council President, and Mr. Pettit, Redevelopment Commission President, per the instruction of Angie Guernsey that the town council & redevelopment commission support Senate Bill 436 in its passage and we get that to our Northwest Indiana delegation. A motion to approve the letter to be written and sent was made by Mr. Widing and seconded by Mrs. Miano. A discussion followed in which Mr. Pettit mentioned an example of the appeals that had been granted and the assessment value was substantially reduced, which in turn could reduce the amount of funds the town receives for each of the TIF districts. Mr. Pettit states that there are measures in the bill that can help protect us. Mr. Bushemi agreed and expressed that the language in the bill, as pending before the general assembly, would correct the Indiana Board of Tax Review rulings. Mr. Bushemi explained that the Board of Tax Review used comparable sales of vacant structures similar to the occupied properties with the same activity and used that to lower the assessed value. He went on to say that we need to encourage legislators to support the bill and to keep it intact and not allow amendments to reduce its protection. The motion carried by unanimous voice vote.

PUBLIC WORKS: Mr. Spann was absent, no report.

COUNCIL AFFAIRS: Mrs. Miano had no report.

PERSONNEL POLICY & EMPLOYEE BENEFITS: Mr. Pettit had no report.

PUBLIC SAFETY: Mr. Widing had no report.

PARKS & RECREATION:

Mrs. Miano had no report. Ms. Orlich stated that they had a successful Senior Advisory Committee meeting that took place on Friday, February 13, 2015. At that time a committee was selected. The next meeting will take place on Friday, March 13, 2015. She also mentioned that they intend on having speakers at each of those meetings.

ENVIRONMENTAL AFFAIRS: Mr. Goralczyk had no report.

ELECTIONS & PUBLIC RELATIONS: Mrs. Miano had no report.

ECONOMIC DEVELOPMENT: Mr. Pettit had no report.

UTILITY LIAISON: Mrs. Barron had no report.

ABANDONED PROPERTIES: Mr. Hardaway announced the meeting on February 25, 2015 is at 9:00 a.m.

GENERAL ORDERS:

FIRST READING ORDINANCES:

Ord. 15-03: An Ordinance of the Town of Merrillville, Lake County, Indiana, appropriating additional monies within the 2014 Construction BAN Fund of the Town of Merrillville, Lake County, Indiana for the year 2015 not included in the current budget. Mr. Pettit made a motion to approve and was seconded by Mr. Widing. There was no discussion. The motion carried by a 6-0 roll call vote.

Ord. 15-04: An Ordinance of the Town of Merrillville, Lake County, Indiana, appropriating additional monies within the Redevelopment Bond of the Town of Merrillville, Lake County, Indiana for the year 2015 not included in the current budget. Mr. Pettit made a motion to approve and was seconded by Mr. Hardaway. There was no discussion. The motion carried by a 6-0 roll call vote.

Ord. 15-05: An Ordinance of the Town of Merrillville, Lake County, Indiana, appropriating additional monies within the GO Bond of the Town of Merrillville, Lake County, Indiana for the year 2015 not included in the current budget. Mr. Pettit made a motion to approve and was seconded by Mr. Hardaway. There was no discussion. The motion carried by a 6-0 roll call vote.

Ord. 15-06: An Ordinance of the Town of Merrillville, Lake County, Indiana, appropriating additional monies within the Parks General Fund of the Town of Merrillville, Lake County, Indiana for the year 2015 not included in the current budget. Mr. Widing made a motion to approve and was seconded by Mr. Pettit. There was no discussion. The motion carried by a 6-0 roll call vote.

SECOND READING ORDINANCES:

None

RESOLUTIONS:

Res. 15-05: A Resolution of the Town Council of the Town of Merrillville, Indiana authorizing transferring monies of the 2015 budget within certain categories. Mr. Pettit made a motion to approve and was seconded by Mrs. Barron. There was no discussion. The motion passed by a unanimous voice vote.

Res. 15-06: A Resolution of the Town Council of the Town of Merrillville, Indiana regarding its intent to issue general obligation bonds and providing that certain preliminary expenditures be reimbursed from the proceeds of said bonds and other related matters. Mr. Widing made a motion to approve and was seconded by Mr. Pettit. There was no discussion. The motion passed by a unanimous voice vote.

BZA ACTIONS:

Petitioner: View Outdoor Advertising, LLC
Owner: Snezana Tants
Request: Variance of use approval
Purpose: To construct an off premise (14"x48" –Billboard) sign
Location: 8037 Taney Place
Zoning: C-2, Community Commercial
Case #: Z1uV1-0115
Conditions: For this petitioner only at this location only for this use only.

Either static, trifold or digital signage to be permitted on the west face of billboard sign and only static or trifold signage on the east face of billboard sign.

Permit a billboard sign to be located within 300’ feet of residential zoned property and or a church (scaled off at 314’ from the church on the east side of the proposed sign and being located in a residential zoning district and 100’ from the SFR to the north of property).

View Outdoor is to provide a mock-up of the placement of the proposed billboard sign to McDonald’s as to not block visibility of McDonald’s sign.

Petitioner Mr. Anderson disclosed the property as Studio 30 Hair concepts. He requested a use variance for a C-2 zoning, he went on to say the spacing of the sign is proper under the Merrillville ordinance and the state permit has been granted including digital. Mr. Anderson stated that a representative of McDonald’s was present at the BZA meeting and provided a letter indicating that they have no objection to the sign. The advertising content will not be adult oriented. Mr. Goralczyk reiterated the sign should point to RT 30 and not toward the residents. There were not any further objections for this request.

Mr. Hardaway made a motion to approve and was seconded by Mrs. Barron. Mr. Pettit abstained from the vote due to this being a competing sign company for his employer. The motion passed by a voice vote of 5-1 abstention.

BZA ACTIONS:

Petitioner: Life Power, LLC
Owner: McCormick 107, LLC
Request: Variance of use approval
Purpose: For a Health & Fitness Training Facility
Location: 8571-75 Louisiana Place
Zoning: M-1, Limited Industrial
Case #: Z3uV2-0115
Conditions: For this petitioner only at this location only for this use only.

Hours of operation are to be from 5:00 a.m. until 10:00 p.m. Monday through Sunday inclusive:

1. Personal training (one on one) is by appointment only and training last about one hour.
2. Classes may be scheduled from 5:00 a.m. until 10:00 a.m. and 4:00 p.m. until 8:00 p.m. with no more than 10 individuals in a class lasting one hour.
3. May hold seminars occasionally on Sunday's from 4:00 p.m. until 8:00 p.m.

Mr. Pettit made a motion to approve and was seconded by Mr. Hardaway. The motion passed by a unanimous voice vote.

OLD BUSINESS:

None

NEW BUSINESS:

None

PUBLIC COMMENT:

All public comment is recorded on an audio file and kept on file in the Clerk-Treasurer's Office at Town Hall.

ANNOUNCEMENTS:

Abandoned & Blighted Properties Committee meeting, February 25, 2015 at 9:00 a.m.
Board of Zoning Appeals meeting, February 25, 2015 at 6:30 p.m.
Stormwater Management Board meeting, March 3, 2015 at 4:30 p.m.
Plan Commission workshop, March 3, 2015 at 6:30 p.m.
Police Commission meeting, March 6, 2015 at 8:00 a.m.
Town Council meeting, March 10, 2015 at 6:30 p.m.
State Rep. Vernon G. Smith Public Forum, Saturday, March 14, 2015 at noon.

ADJOURNMENT:

A motion to adjourn was made by Mr. Pettit and seconded by Mr. Hardaway.
The meeting was adjourned at 6:55 p.m.

Tom Goralczyk, President

Eugene Guernsey, Clerk-Treasurer